

# ARCHITECTURAL ACCESS BOARD

## CHANGES TO 521 CMR

Effective February 1, 2002 with a 6 month grace period until August 1, 2002

(Changes and/or additions are in **BOLD**)

5.20 **BUILDING:** A structure enclosed within exterior walls or fire walls (**as defined in 780 CMR**), built, erected and framed in a combination of any materials, whether portable or fixed having a roof, to form a structure for the shelter of persons, animals or property. For the purposes of this definition, "roof " shall include an awning or similar covering, whether or not permanent in nature. The word "*building*" shall be construed where the context requires, as though followed by the words "or part or parts thereof." **For application of 521 CMR, each portion of a *building* which is separated from other portions by fire walls (as defined in 780 CMR) and are not dependent on the existing *building* for *accessible* elements shall be considered as a separate *building*.**

5.38 **FULL AND FAIR CASH VALUE OF THE *BUILDING*:** The assessed valuation of a *building* (not including the land) as recorded in the Assessor's Office of the municipality at the time the *building* permit is issued as equalized at 100% valuation. The 100% equalized assessed value shall be based upon Massachusetts Department of Revenue's determination of the particular city's or town's assessment ratio.

EXAMPLE: Town X has an assessment ratio of 40%, the particular *building* in question is assessed at \$200,000.00. To determine the equalized assessed value of this *building*, divide \$200,000.00 by 0.4. The equalized assessed value equals \$500,000.00.

### EXCEPTIONS:

- a. If no assessed value exists, or the assessed value is more than three years old, a request to substitute the appraised value may be submitted to the *Board*. The request to use the appraised value must be submitted by a certified appraiser **or for transit facilities, either a certified appraiser or an independent registered professional engineer** and must be submitted prior to obtaining a *building* permit for the project.
- b. The value of *multiple dwellings* owned or financed by public sector agencies, local housing authorities, Massachusetts Housing Finance Agency, or the Department of Housing and Urban Development shall be determined by *replacement cost*.
- c. **The value of buildings owned, constructed, or renovated by the Commonwealth of Massachusetts shall be determined by the *replacement cost*.**

When part of a *building* is subject to 521 CMR, the *full and fair cash value* shall be based on the percentage of the *full and fair cash value* of the whole which equals the ratio of the square footage of the part of the *building* to the square footage of the whole *building*; if the *Board*

determines the application of this formula to cause an inequitable result, the *Board* may otherwise calculate the *full and fair cash value* of the part of a *building* at issue.

EXAMPLE: Where the whole *building* is 100,000 square feet, the part in question is 10,000 square feet, and the equalized value of the whole is \$1,000,000.00, the *full and fair cash value* of the part is \$100,000.00

5.70 REPLACEMENT COST: **Current cost of construction and equipment for a newly constructed building.**

a. For multiple dwellings, *replacement cost* shall be determined by \$73.32 per square foot.

b. For courthouses, correctional facilities, educational facilities and other buildings (other than multiple dwellings) owned, constructed, or renovated by the Commonwealth of Massachusetts, the *replacement cost* shall be determined by and reflected in the Commonwealth's Capital Asset Management Information System (CAMIS) survey and data base, for state owned buildings. The Division of Capital Asset Management (DCAM) shall file the CAMIS database, containing the replacement costs, with the *Board*. DCAM shall update the replacement costs annually as of the first day of January each year, based on the inflation rate determined by R.S. Means, including appropriate adjustments for location and other factors. For buildings that are not included in the CAMIS database, but may be renovated by DCAM such as county-owned facilities, the replacement costs shall be calculated by DCAM based on the replacement costs for comparable facilities that are included in the CAMIS database. DCAM shall supplement the CAMIS database on file with the *Board*, for any such building, by preparing and filing documentation identifying the replacement cost for the building and how it was calculated.

8.7 OTHER SLEEPING ROOMS AND SUITES

Doors and doorways designed to allow passage into and within all sleeping units or other covered units shall comply with **521 CMR 26, DOORS AND DOORWAYS on the corridor side of the door only.**

9.5.4 a. Patios, terraces, and balconies: Where it is necessary to use a door threshold or a change in level between the interior and exterior, greater than ½ inch (1/2 " = 13mm) to protect the integrity of the unit from water or snow damage, equivalent facilitation such as raised decking or a ramp shall be provided **or capable of being provided.**

14.2.1 Armless seats: In addition **to wheelchair seating locations**, at least 1% of all fixed seats, but not less than one seat, .....

**14.4.1 Distribution:** Whenever more than 150 seats are provided, wheelchair seating locations must be provided in more than one location. Wheelchair seating locations shall be dispersed throughout all seating areas so as to provide a choice of admission prices and views comparable to those for the general public. Wheelchair seating locations shall also be provided in all areas including sky boxes and specialty areas. Where 150 or less seats are provided, wheelchair spaces may be provided in one

location. In movie theaters, accessible seating locations shall not be located in the front third of the theater.

(keep exception in 14.4.1)

- 14.4.3 add: Companion seats must be comparable to the seats for the general public, i.e. , comfort, cup holders, etc. Companion seats must have signage installed indicating that the seats are reserved as companion seating for the *accessible* seating areas.

#### 14.6 ACCESS TO PERFORMING AREAS

Where access is provided to the stage from within the place of assembly, an *accessible route*, within the place of assembly, from the wheelchair seating locations, to the stage/performing area must be provided. See Fig.14b. In addition, an *accessible route*, that coincides with the route for performers must be provided to the backstage area.

- 18.3 DELETE: ~~Said accessible entrances shall provide overhead protection to the maximum extent feasible, in the immediate exterior area of the terminal entrance.~~

- 18.4.1 **18.4.1 Add:** Where construction constraints in *light rail* stations result in platform to vehicle gaps that exceed the requirements a device used to bridge the gap must be a minimum of 36 inches wide or the width of the opening, whichever is greater and the slope shall not exceed 1:12. Exception: A slope between 1:10 (10%) and 1:12 (8.3%) is allowed for a single rise of a maximum of 3 inches (3" = 76mm).

- 18.4.2 after the word "yellow": add the words: **(Federal yellow 33538)**

- 18.4.2c *Detectable warnings* used on **interior** surfaces shall differ from adjoining walking surfaces in resiliency or sound-on-cane contact.

#### NEW SECTION:

**18.5.3 LIGHT RAIL TRANSIT TERMINALS:** To facilitate access to *light rail* transit vehicles, the following shall be provided:

- 18.5.3.1 Platforms at newly *constructed* stations serving *light rail* transit vehicles shall provide access to all passengers and to all coaches of the train by means of a full length raised platform. Such platforms shall be at least 60 inches (60" = 1524mm) in *clear* width at the stopping zone for *accessible* doors. A minimum of 36 inches (36" = 914mm) in *clear* width must be provided to each stopping zone for *accessible* doors.

- 18.5.3.2 Platforms at *reconstructed*, *remodeled* or *altered* stations serving *light rail* transit vehicles shall afford *access* to at least one car by means of a raised platform. Said platform shall comply with the following:

- a. Such platforms shall be at least 60 inches (60" = 1524mm) in clear width at the stopping zone for *accessible* doors. A minimum 36 inch (36" = 914mm) clear width must be provided to each stopping zone for *accessible* doors.

- b. Such platforms shall be at least 8 feet (8' = 2438mm) in length.

#### 18.6 FARE TRANSACTION

At least one fare transaction area **of each type, at each accessible** entrance shall be accessible and shall have a minimum 36 inch (36" = 914 mm) wide path of travel. **Where transaction counters are provided, they shall comply with the requirements of set forth in Section 7.2.1a, b, c, and d.** Where provided, coin or card slots shall comply with **521 CMR 6.5 Forward Reach or 521 CMR 6.6 Side Reach.**

- 21.2.1 **Delete last sentence:** ~~Single (i.e. diagonal or depressed corner) curb cuts serving two street crossing directions are not allowed.~~ **Add: The crosswalk/pedestrian path of travel must also be perpendicular to the curb.**

- 21.2.1.1 **Apex curb cuts:** Where site constraints prevent the installation of a perpendicular curb cut or a parallel curb cut with a level landing, an apex curb cut is allowed. Site constraints include the following:

- a. Driver or pedestrian line of sight to or from the front of the level landing on the ramp is impaired, preventing safe observation of crosswalks or approaching traffic at the intersection by a significant immovable or unalterable streetscape feature such as a building, structure or historic element, etc.
- b. Stop line is beyond the allowed limit as stated in the Manual on Uniform Traffic Control Devices
- c. Vaults containing electrical, telecommunication, etc. that are under or on the existing sidewalk.
- d. Large radius intersections which are 30 feet or greater.

21.2.1.2 When apex curb cuts are installed a 48 inch (48" = 1219 mm) landing shall also be provided at the bottom of the curb cut and located within the marked crosswalk.

**Add:**

#### 21.12 ACCESSIBLE PEDESTRIAN SIGNALS - Reserved

- 26.6.2 Doors located in a recess of more than 6 inches (6" = 152 mm) deep shall have clear floor space as required in 521 CMR, Section 26.6.3 and 521 CMR Section 26.6.4. Said clear floor space shall be measured within six inches of the door.

- 27.1 **Change to:** All stairs are required to comply with the following:

- 28.7 The elevator cab shall be a minimum of 54 inches by 68 inches (54" x 68" = 1372mm x 1727mm) measured wall-to-wall and wall-to-door, **Add: or may be 60 inches by 60 inches,**

**(60" by 60" = 1524 mm by 1524 mm) wall-to-wall and wall-to-wall.** The door can be located on any wall or walls.

28.12.1 General: Vertical wheelchair lift devices and Limited Use elevators may be used as part of an *accessible route* of travel in lieu of an elevator **under any one of the** following circumstances:

28.12.2e Doors or gates shall comply with the requirements of **521 CMR 26.5 through 521 CMR Section 26.11.4.** **Exception: Where a door or gate is provided on the wider side of any lift platform that is less than 54 inches (54" = 1372 mm) in any dimension, the door or gate shall be a minimum of 42 inches (42" = 1067mm) wide and shall comply with the applicable requirements of 521 CMR 26.6 through 521 CMR Section 26.11.4.**

**30.4** Change the word **“UNISEX”** to **SINGLE USER**  
**add:** The door may swing into the room if there is a clear floor space of 30 inches by 48 inches (30" = 762 mm by 48" = 1219 mm) beyond the swing of the door.

**30.7.5** change 1118 mm to 1120 mm

**30.9.3** Knee clearance shall be provided underneath the sink which is 27 inches (27" = 685 mm) minimum from the floor to the underside of the sink and extends 8 inches (8" = 205mm) minimum measured from the front edge underneath the sink back towards the wall; if a minimum of 9 inches (9" = 230mm) of toe clearance is provided, a maximum of 6 inches (6" = 150mm) of the 48 inches (48" = 1220 mm) of clear floor space required at the fixture may extend into the toe space. See fig. 30h

**30.17.2** change flush valve height from 30" to 44"

**31.7.4** In third sentence, delete the word **“fixed”**

**37.2** Delete words: "see fig. 37a"

**37.9** Delete **“see fig 37b”**

**39.6** **Add: 39.6 WINDOWS: RESERVED**

**40.1.1** Change reference from (see 521 CMR 8.3.5) to (see 521 CMR 8.4.5), change  
Also change 521 CMR 8.5 to 8.6

**42.7.2.f** Delete first sentence and replace with: **Hardware location: Mixing valves shall be mounted on the wall opposite the seat**

**42.7.3** **ADD to end:** Soap dispensers, holders, etc., shall be located within *the zone of reach* from the seat.

Corrections to illustrations:

8/26/2002

#8b - delete: "54" max. accessible storage"

#28c - change both 36" dimensions to 32"